

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
(*ROANOKE DIVISION*)**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>7:17-CR-33-01</b>
	)	
<b>BOBBY NELSON COLLINS, JR.</b>	)	

**MOTION TO WITHDRAW AS COUNSEL**

COMES NOW counsel for your defendant, Bobby Nelson Collins, Jr., and respectfully moves this Honorable Court for entry of an order permitting counsel to withdraw from this matter and states the following in support thereof:

(1) Counsel for your defendant was appointed under the Criminal Justice Act on March 29, 2017, to represent Bobby Nelson Collins, Jr.

(2) On July 12, 2017, during a discovery meeting with the United States, which your defendant attended, certain evidentiary information was disclosed by the United States which makes it clear that counsel's further representation of your defendant would put said counsel in an unresolvable ethical conflict.

(3) At the end of said discovery meeting, and immediately upon learning of the conflict of interest, counsel for your defendant informed Bobby Nelson Collins, Jr. that he could no longer ethically represent him and still fulfill his duties to him under the Sixth Amendment to the United States Constitution.

(4) Shortly thereafter, counsel for your defendant, along with counsel for the United States, informed the Court of the developments surrounding counsel's conflict dilemma. Pursuant

to the Court's directive, counsel for your defendant now files this Motion to Withdraw as Counsel from the case and requests appointment of new counsel for Bobby Nelson Collins, Jr.

WHEREFORE, counsel for your defendant respectfully moves this Court for entry of an order permitting him to withdraw as counsel of record and for the further appointment of counsel for Bobby Nelson Collins, Jr.

Respectfully submitted,

BOBBY NELSON COLLINS, JR.

By /s/ Christopher K. Kowalczuk

Christopher K. Kowalczuk, Esq.  
Counsel for Defendant  
P. O. Box 11971  
Roanoke, VA 24022-1971  
(540) 345-0101

#### CERTIFICATE OF SERVICE

I, Christopher K. Kowalczuk, Esq., do hereby certify that on this 13th day of July, 2017, I electronically filed the foregoing Motion to Withdraw as Counsel with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Ashley B. Neese, Esq., Assistant United States Attorney.

/s/ Christopher K. Kowalczuk